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New Books

INTERNATIONAL PROBLEMS AND HAGUE CONFERENCES. By T. J. Lawrence, M. A., LL. D., Lecturer in International Law at the Royal Naval War College. London: J. M. Dent & Co. Cloth. 210 pages.

Dr. Lawrence is a writer who, besides stating what international law is, suggests remedies for its defects. In his "International Problems and Hague Conferences" he not only shows that there is a real society of nations, which is organized through a world congress and court, but, from the point of view of an expert, deals with the present customs of warfare, which he desires to see made as humane as possible. He is well qualified to speak of maritime war because of his position as lecturer in the British Naval War College, a position which throws him in contact with officers who have seen service, and which puts him in the way of observing the naval policies of the various nations. To the commercial and shipping classes he sounds an unmistakable note of alarm. They, in his opinion, are sleeping in the false security of a fool's paradise. They were never in so great peril in the barbarous era of Napoleon as they are to-day. Their situation is due chiefly to the changed conditions of ocean transportation, which make search and seizure on the high seas both costly and irksome to neutrals, to the needlessly inclusive definitions of contraband, which go far beyond the munitions of war, to the destruction of neutral prizes at sea without compensation, and to the reckless use of mines which is contemplated by some of the powers. Prize law may be reformed and codified, as he explains, by the conference on the new international prize court, which has been called to meet in London this autumn, but a more carefully restricted use of mines requires the action of another Hague Conference. It has been known that prize law was in an uncertain state, but it was generally supposed that the Hague Conference had made mines harmful only to belligerents. That such is not the case, however, is shown by the keen analysis of the Hague convention on mines by Dr. Lawrence, which is supported by information that to him is sufficient ground for grave suspicion and concern. Some powers contemplate using mines instead of ships to maintain blockade, or to send a vessel back and forth before a blockaded harbor, towing a long cable with mines attached to it, against which an incoming or outgoing vessel may strike and be destroyed before the ship at the end of the cable can give adequate warning of danger. Owing to loopholes in the Hague convention it is possible, though it was expressly stated that mines should not be laid purposely to injure commerce, for one belligerent to lay mines in its own harbor to keep the enemy out and for the enemy to lay them outside the harbor to keep his adversary in. In such cases how can innocent commerce, ocean liners with their passengers, women and children, approaching a harbor at night, be prevented from receiving injury or being sent to the bottom? On which of the two powers at war will it be possible to fix the responsibility for damage and destruction? Dr. Lawrence proposes a world-wide agitation on the part of churches, peace societies, philanthropic associations and commercial organizations, for the purpose of preventing the realization of these threatened evils. He also asks

why in the future naval warfare should not be confined to the territorial waters of belligerents and the high seas left as safe and free as the public streets of a city.

Dr. Lawrence's book is written in a popular style; indeed, hardly any writer has done so much to popularize the study of international law and make its international problems clear to the public mind as he has done. His "War and Neutrality in the Far East" went through its first edition in a month after its appearance, but this new work ought to interest a still larger circle of readers. It ought especially to be in the library of every Board of Trade.

INTERNATIONAL LAW AND DIPLOMACY OF THE SPANISH-AMERICAN WAR. By Elbert J. Benton, Ph. D., Assistant Professor of History in Western Reserve University. Baltimore: The Johns Hopkins Press. 1908. Cloth. 300 pages. Price, \$1.50.

The impression has steadily gained ground since 1898 that the Spanish-American war, with its cost in life and money, might have been avoided, and the desired reforms in Cuba peacefully obtained, if, instead of appealing to arms, the United States had only let Minister Woodford go on with the negotiations which he had so well begun and which promised ultimate success. That resort to war was premature and needless is shown by Professor Benton's book. The author quotes freely from the official correspondence that passed between the two countries and between the American administration and Congress. He goes into all the facts relating to the situation for three years preceding the outbreak of hostilities, giving the proposals of the United States and the answers of Spain with regard to the treatment of Cuba. It appears that the Spanish government was ready to concede practically everything that President McKinley demanded, even offering to arbitrate in the matter of the sinking of the

In dealing with the legal questions that arose in the war, Professor Benton takes for titles to his chapters, "Transition from Neutrality to Belligerency," "Relations with Belligerents," and "Relations between Belligerents and Neutrals," in which he summarizes the decisions of prize-court cases, comments on the changes made in customs of land and naval war, due to modern conditions, and compares the several national codes of neutrality which were proclaimed at that time. He relates the story of the negotiations entered into after the war closed, and interprets the meaning of the final treaty of peace between Spain and the United States. The book is a scholarly piece of work of the order of Takahashi's "International Law during the Chino-Japanese War," and of Baty's "International Law in South Africa," which have set a new fashion in the study of international law by taking up the subject from the point of view of a single war, instead of dealing with it from the standpoint of universal history.

INTERNATIONAL LAW IN SOUTH AFRICA. By T. Baty, author of "First Elements of Procedure" and "The Laws of Law." London: Stevens and Haynes. Cloth. 127 pages.

Dr. Baty's book is a study in the application of international law to a special event, the South African war.